

**RECEIVED
CENTRAL FAX CENTER**

Attorney's Docket 021123-0265182
Client Reference: 990159BT

MAY 03 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
NICOLE DUSCH ET AL.

Confirmation No: 6287

Application No.: 09/456,306

Group Art Unit: 1652

Filed: December 8, 1999

Examiner: David J. Steadman

Title: Novel Nucleotide Sequences Coding for the poxB Gene

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. §1.8**

I hereby certify that the following papers, consisting of two pages including this cover sheet, are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on the date shown below:

Petition for Extension of Time (for co-pendency)

PILLSBURY WINTHROP LLP



THOMAS A. CAWLEY, JR., PH.D.
Reg. No. 40944

Date: May 3, 2005
P.O. Box 10500
McLean, VA 22102
Telephone: (703) 905-2000
Facsimile: (703) 905-2500

RECEIVED
MAY 4 2005
OIP/E/JCWS

(Certification of Facsimile Transmission—page 1)

PTO/SB/22 (12-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional)	
FY 2005		021123-0265182	
(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Filed December 8, 1999	
Application Number 09/456,306		Examiner David J. Steadman	
For Novel Nucleotide Sequences Coding for the poxB Gene			
Art Unit 1652			

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ <u>1,020.00</u>
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 033975. I have enclosed a duplicate copy of this sheet.


WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number 40944

☐ attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____


Signature
Thomas A. Cawley, Jr., Ph.D.
Reg. No. 40944
Typed or printed name

3 May 2005
Date

(703) 905.2144
Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to do (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05/05/2005 EFLORES 00000101 033975 09456306

01 FC:1253 1020.00 DA